

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: BOSTON SCIENTIFIC CORP. PELVIC
REPAIR SYSTEM PRODUCTS LIABILITY
LITIGATION**

MDL No. 2326

(SEE ATTACHED SCHEDULE)

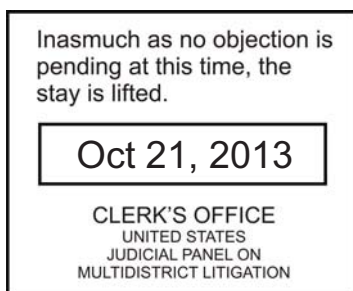
CONDITIONAL TRANSFER ORDER (CTO –89)

On February 7, 2012, the Panel transferred 21 civil action(s) to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 844 F.Supp.2d 1359 (J.P.M.L. 2012). Since that time, 620 additional action(s) have been transferred to the Southern District of West Virginia. With the consent of that court, all such actions have been assigned to the Honorable Joseph R Goodwin.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Southern District of West Virginia for the reasons stated in the order of February 7, 2012, and, with the consent of that court, assigned to the Honorable Joseph R Goodwin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7–day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

**IN RE: BOSTON SCIENTIFIC CORP. PELVIC
REPAIR SYSTEM PRODUCTS LIABILITY
LITIGATION**

MDL No. 2326

SCHEDULE CTO-89 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
ARKANSAS EASTERN			
ARE	4	13-00584	Fagone v. North Metro Medical Center et al
NEW YORK WESTERN			
NYW	1	13-01038	Byer v. Boston Scientific Corp.

Activity in Case MDL No. 2326 IN RE: Boston Scientific Corp. Pelvic Repair System Products
Liability Litigation CTO Final Minute Order (Clerks)
JPMLCMECF
to:
JPMLCMDECF
10/21/2013 09:39 AM
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United States

United States Judicial Panel on Multidistrict Litigation

Notice of Electronic Filing

The following transaction was entered on 10/21/2013 at 9:38 AM EDT and filed on 10/21/2013
Case Name: IN RE: Boston Scientific Corp. Pelvic Repair System Products Liability Litigation
Case Number: [MDL No. 2326](#)
Filer:
Document Number: No document attached

Docket Text:
*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-89)
Finalized on 10/21/13. Please see pleading (3 in ARE/4:13-cv-00584, [883] in MDL No. 2326, 3 in NYW/1:13-cv-01038).

As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the transfer.

The 7-day period has now elapsed, no opposition was received, and the order is directed to the Clerk of the United States District Court for the S.D. West Virginia for filing. The Panel governing statute, 28 U.S.C. 1407, requires that the transferee clerk transmit a certified copy of the Panel order to transfer to the clerk of the district court from which the action is being transferred.

Signed by Clerk of the Panel Jeffery N. Luthi on 10/21/2013.

Associated Cases: MDL No. 2326, ARE/4:13-cv-00584, NYW/1:13-cv-01038 (LAH)

Case Name: Byer v. Boston Scientific Corp.
Case Number: [NYW/1:13-cv-01038](#)
Filer:
Document Number: No document attached

Docket Text:*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-89)
Finalized on 10/21/13. Please see pleading (3 in ARE/4:13-cv-00584, [883] in MDL No. 2326, 3 in NYW/1:13-cv-01038).

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Signed by Clerk of the Panel Jeffery N. Luthi on 10/21/2013.

Associated Cases: MDL No. 2326, ARE/4:13-cv-00584, NYW/1:13-cv-01038 (LAH)

Case Name: Fagone v. North Metro Medical Center et al

Case Number: [ARE/4:13-cv-00584](#)

Filer:

Document Number: No document attached

Docket Text:*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-89)
Finalized on 10/21/13. Please see pleading (3 in ARE/4:13-cv-00584, [883] in MDL No. 2326, 3 in NYW/1:13-cv-01038).

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Signed by Clerk of the Panel Jeffery N. Luthi on 10/21/2013.

Associated Cases: MDL No. 2326, ARE/4:13-cv-00584, NYW/1:13-cv-01038 (LAH)

No public notice (electronic or otherwise) sent because the entry is private

Activity in Case MDL No. 2326 IN RE: Boston Scientific Corp. Pelvic Repair System Products
Liability Litigation Conditional Transfer Order Finalized
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JPMLCMDECF
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United States

United States Judicial Panel on Multidistrict Litigation

Notice of Electronic Filing

The following transaction was entered on 10/21/2013 at 9:33 AM EDT and filed on 10/21/2013

Case Name: IN RE: Boston Scientific Corp. Pelvic Repair System Products Liability Litigation

Case Number: [MDL No. 2326](#)

Filer:

Document Number: [883](#)

Docket Text:

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-89) - 2 action(s) re: *pldg.* (1 in ARE/4:13-cv-00584, [858] in MDL No. 2326, 1 in NYW/1:13-cv-01038) Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 10/21/2013.

Associated Cases: MDL No. 2326, ARE/4:13-cv-00584, NYW/1:13-cv-01038 (LAH)

Case Name: Byer v. Boston Scientific Corp.

Case Number: [NYW/1:13-cv-01038](#)

Filer:

Document Number: [3](#)

Docket Text:

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-89) - 2 action(s) re: *pldg.* (1 in ARE/4:13-cv-00584, [858] in MDL No. 2326, 1 in NYW/1:13-cv-01038) Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 10/21/2013.

Associated Cases: MDL No. 2326, ARE/4:13-cv-00584, NYW/1:13-cv-01038 (LAH)

Case Name: Fagone v. North Metro Medical Center et al
Case Number: [ARE/4:13-cv-00584](#)
Filer:
Document Number: [3](#)

Docket Text:
CONDITIONAL TRANSFER ORDER FINALIZED (CTO-89) - 2 action(s) re: pldg. (1 in ARE/4:13-cv-00584, [858] in MDL No. 2326, 1 in NYW/1:13-cv-01038) Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 10/21/2013.

Associated Cases: MDL No. 2326, ARE/4:13-cv-00584, NYW/1:13-cv-01038 (LAH)**MDL No. 2326 Notice has been electronically mailed to:**

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MDL No. 2326 Notice will not be electronically mailed to:**NYW/1:13-cv-01038 Notice has been electronically mailed to:**

Cheryl Meyers Buth cmbuth@murphymeyers.com

NYW/1:13-cv-01038 Notice will not be electronically mailed to:**ARE/4:13-cv-00584 Notice has been electronically mailed to:**

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ARE/4:13-cv-00584 Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP JPMLStamp_ID=1090522767 [Date=10/21/2013] [FileNumber=417830-0]

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